

10-31-02

1636

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: *DE JONG et al.*

Serial No.: 10/086,745

Filed: February 28, 2002

Confirmation No.: 8781

For: *METHODS FOR DELIVERING  
NUCLEIC ACID MOLECULES  
INTO CELLS AND ASSESSMENT  
THEREOF*

Art Unit: 1636

Examiner: Unassigned

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"Express Mail" Mailing Label Number

EV 175671957 US

Date of Deposit October 28, 2002

I hereby certify that this paper is being deposited with the United States Postal "Express Mail Post Office to Addressee" Service under 37 C.F.R. §1.10 on the date indicated above and addressed to:

Commissioner for Patents  
U.S. Patent and Trademark Office  
P.O. Box 2327  
Arlington, VA 22202, on this date.10/28/2002  
Date

## TRANSMITTAL LETTER

## RECEIVED

Commissioner for Patents  
U.S. Patent and Trademark Office  
P.O. Box 2327  
Arlington, VA 22202

NOV 01 2002

TECH CENTER 1600/2900

Sir:

Transmitted herewith is a Preliminary Amendment for filing in connection with the above-identified application.

[ X ] The Commissioner is hereby authorized to charge any fees that may be due under 37 C.F.R. §§1.16-1.17 in connection with this paper or with this application during its entire pendency to Deposit Account No. 50-1213. A duplicate of this sheet is enclosed.

Respectfully submitted,  
HELLER, EHRMAN, WHITE & McAULIFFE LLP

By:

  
Stephanie L. Seidman  
Registration No. 33,779

Attorney Docket No. 24601-416C

Address all correspondence to:

Stephanie L. Seidman, Esq.

HELLER, EHRMAN, WHITE &amp; McAULIFFE LLP

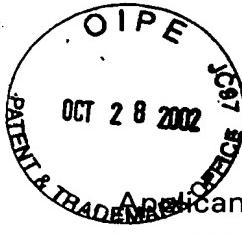
4350 La Jolla Village Drive, 7th Floor

La Jolla, California 92122-1246

Telephone: (858) 450-8400

Facsimile: (858) 587-5360

EMAIL: sseidman@hewm.com



#12/a  
Beta  
11-12-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: *DE JONG et al.*

Serial No.: 10/086,745

Filed: February 28, 2002

Confirmation No.: 8781

For: **METHODS FOR DELIVERING  
NUCLEIC ACID MOLECULES INTO  
CELLS AND ASSESSMENT  
THEREOF**

Art Unit: 1636

Examiner: Unassigned

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"Express Mail" Mailing Label Number

EV 175671957 US

Date of Deposit October 28, 2002

I hereby certify that this paper is being deposited with the United States Postal "Express Mail Post Office to Addressee" Service under 37 C.F.R. §1.10 on the date indicated above and addressed to:

Commissioner for Patents  
U.S. Patent and Trademark Office  
P.O. Box 2327  
Arlington, VA 22202, on this date.

10/28/2002

Date

Michael Lough

PRELIMINARY AMENDMENT

RECEIVED

Commissioner for Patents  
U.S. Patent and Trademark Office  
P.O. Box 2327  
Arlington, VA 22202

NOV 01 2002

TECH CENTER 1600/2900

Dear Sir:

Preliminary to examination of the above-captioned patent application entry of the following amendment is respectfully requested.

**IN THE SPECIFICATION:**

Please amend the specification as follows (a marked up copy of the amended specification is attached to this Amendment):

**Please replace the paragraph on page 4, lines 23-29, with the following:**

The delivery methods provided herein may also be used to deliver large nucleic acid molecules to a target cell *in vitro*, which is then introduced into an animal subject, in particular human subjects, such as may be done, for example, in a method of *ex vivo* gene therapy. Thus, also provided herein are methods of *in vivo* and *ex vivo* gene therapy using the methods for delivering large nucleic acid molecules into cells as provided herein.

**Please replace the paragraph beginning on page 8, line 15, through page 9, line 4, with the following:**

In particular embodiments, the methods of monitoring delivery and expression of a nucleic acid molecule include the steps of: introducing labelled nucleic acid molecules that encode a reporter gene into cells;